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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,697	10/23/2003	Krzysztof W. Przytula	HRL135	9790
28848 7590 01/23/2008 TOPE-MCKAY & ASSOCIATES 23852 PACIFIC COAST HIGHWAY #311 MALIBU, CA 90265			EXAMINER PATEL, SHAMBHAVI K	
			ART UNIT 2128	PAPER NUMBER
			MAIL DATE 01/23/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/692,697	PRZYTULA ET AL.	
	Examiner	Art Unit	
	Shambhavi Patel	2128	

All participants (applicant, applicant's representative, PTO personnel):

(1) Shambhavi Patel.

(3) Marcus Frecell.

(2) Dr. Hugh Jones.

(4) _____

Date of Interview: 17 January 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____

Claim(s) discussed: None.

Identification of prior art discussed: None.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The affidavit submitted was discussed. Applicant's representative submitted that the affidavit was sufficient to overcome the prior art rejection, and Examiner stated that proof of diligence was needed. No agreement was reached Examiner notes that the Attorney of Record is Cary Topey-McKay but the Applicant's representative was Marcus Frecell. Clarification is required.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

HUGH JONES Ph.D.
MARY PATRICK LEE
 EXAMINER'S SIGNATURE
 TECHNICAL CENTER 100